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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

PURE BIOSCIENCE, a California Corporation,	)	CASE NO. 08 CV 0489 W CAB
	)	
Plaintiff,	)	<b>DECLARATION OF PROOF OF SERVICE</b>
	)	
vs.	)	
	)	
FRIJOUF, RUST & PYLE, P.A., a Florida Professional Association, ROBERT F. FRIJOUF, an individual, and does 1 through 50 inclusive,	)	
	)	
Defendants.	)	

I, the undersigned, am employed in the county of San Diego, State of California. I am over the age of 18 and not a party to the within action; my business address is 1010 Second Avenue, Suite 2500, San Diego, California, 92101.

On March 24, 2008, I caused to be served the following document(s) described as follows:

1. **ANSWER TO COMPLAINT FOR DECLARATORY RELIEF;**

on the parties in this action by placing a true copy in a sealed envelope addressed as follows:

1 Charles E. Brumfield, Esq.  
2 1725 Gillespie Way  
3 El Cajon, CA 92020  
4 619.596.8600 x 138 Phone  
5 619.596.8790 Fax

6 ☒ **BY MAIL** - As follows: I am "readily familiar" with the firm's practice of collection and  
7 processing correspondence for mailing. Under that practice it would be deposited with the  
8 U.S. Postal Service on that same day with postage thereon fully prepaid at San Diego,  
9 California in the ordinary course of business. The envelope was sealed and placed for  
10 collection and mailing on this date following our ordinary practices. I am aware that on  
11 motion of the party served, service is presumed invalid if postal cancellation date or postage  
12 meter date is more than one day after date of deposit for mailing in affidavit.

13 ☐ **BY CERTIFIED MAIL, Return Receipt Requested** - As follows: I am "readily familiar"  
14 with the firm's practice of collection and processing correspondence for mailing. Under that  
15 practice it would be deposited with the U.S. Postal Service on that same day with postage  
16 thereon fully prepaid at San Diego, California in the ordinary course of business. The  
17 envelope was sealed and placed for collection and mailing on this date following our  
18 ordinary practices. I am aware that on motion of the party served, service is presumed  
19 invalid if postal cancellation date or postage meter date is more than one day after date of  
20 deposit for mailing in affidavit. The envelope was sent Certified, return receipt requested.

21 ☐ **BY FAX** - As follows: I personally sent to the addressee's telecopier number a true copy of  
22 the above-described documents. Thereafter I sent a true copy in a sealed envelope addressed  
23 and mailed as indicated above.

24 Executed on March 24, 2008, at San Diego, California.

25 I declare under penalty of perjury under the laws of the State of California, that the above is  
26 true and correct.

27 //s/Hugh A. McCabe  
28 Hugh A. McCabe